

PFW

PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

10

Application Number

10/589,065

Filing Date

10 August 2006

First Named Inventor

Tetsuo MIZUNO

Art Unit

Not Yet Assigned

Examiner Name

Not Yet Assigned

Attorney Docket Number

E1679-00015

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Response to Missing Requirements
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Sequence Listing, Electronic & Paper
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	Statement to Support Sequence Listing
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	Return Postcard
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

THIS DOC# DM2\1276081.1

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	DUANE MORRIS LLP		
Signature			
Printed name	Gary D. Colby		
Date	10 October 2007	Reg. No.	40,961

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Amanda M. Orson	Date	10 October 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/589,065	Tetsuo Mizuno	E1679

8933
 DUANE MORRIS, LLP
 IP DEPARTMENT
 30 SOUTH 17TH STREET
 PHILADELPHIA, PA 19103-4196

INTERNATIONAL APPLICATION NO.

PCT/AU05/00187

I.A. FILING DATE

02/14/2005

PRIORITY DATE

02/12/2004

CONFIRMATION NO. 5807

371 FORMALITIES LETTER



OC000000023306480

Date Mailed: 04/10/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 08/10/2006
- Copy of the International Search Report filed on 08/10/2006
- Copy of IPE Report filed on 08/10/2006
- Copy of Annexes to the IPER filed on 08/10/2006
- Information Disclosure Statements filed on 10/06/2006
- Oath or Declaration filed on 08/10/2006
- Biochemical Sequence Listing filed on 08/10/2006
- Request for Immediate Examination filed on 08/10/2006
- U.S. Basic National Fees filed on 08/10/2006
- Priority Documents filed on 08/10/2006
- Specification filed on 08/10/2006
- Claims filed on 08/10/2006
- Abstracts filed on 08/10/2006
- Drawings filed on 08/10/2006
- Paper nucleotide sequence listings filed on 08/10/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:

- is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- **\$65 Surcharge.**
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

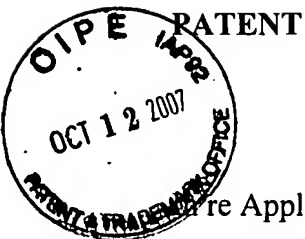
VIRGINIA L IRBY

Telephone: (703) 308-9140 EXT 229

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/589,065	PCT/AU05/00187	E1679

FORM PCT/DO/EO/905 (371 Formalities Notice)



ATTORNEY DOCKET NO. E1679-00015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: Tetsuo MIZUNO

Confirmation No: 5807

Serial No: 10/589,065

Group Art Unit: not assigned

IA Filing Date: 02/14/2005

Examiner: not assigned

For: LIVE ATTENUATED SALMONELLA FOR USE AS VACCINE

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

In response to the Notification of Missing Requirements mailed April 10, 2007, Applicants enclose the following documents for filing in the above-captioned U.S. patent application :

Executed Combined Declaration and Power of Attorney

Copy of the Notification of Missing Requirements

Electronic Copy of the Sequence Listing

Statement to Support Sequence Listing

Petition for 4 month Extension of Time

The Commissioner is authorized to charge the surcharge of \$65.00 to Deposit Account 04-1679. The Commissioner is also authorized to charge any under payment or credit any over payment to Deposit Account No. 04-1679.

Date: 10 October 2007

Respectfully submitted,

Gary D. Colby, Ph.D., J.D.

Registration No. 40,961

Customer No. 08933

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